



# **REISSUE LITIGATION**

## **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Continuation Reissue  
Patent Application of:

**Uber, III et al.**

Appln. No.: 09/545582

Filed: April 7, 2000

Title: **PATIENT INFUSION SYSTEM  
FOR USE WITH MRI**

Group Art Unit: 3737

Examiner: R. Smith

\* \* \* \* \*

September 30, 2002

### **NOTICE OF RELATED LITIGATIONS**

Hon. Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Sir:

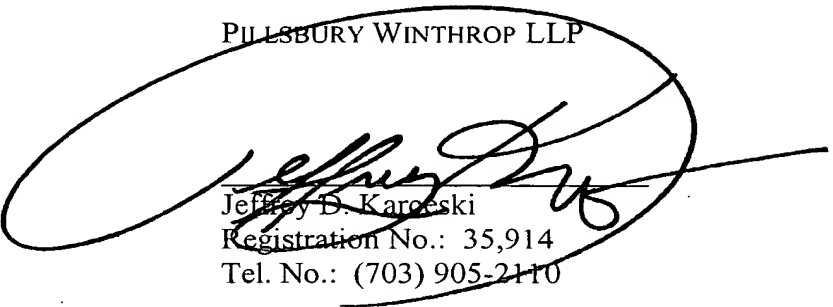
The Applicants respectfully bring to the Examiner's attention the following litigation involving related U.S. Reissue Patent No. 37,602. The litigation was initiated by Medrad, Inc., the assignee of Reissue Patent No. 37,602 and the assignee of the above-captioned continuation reissue patent application. A copy of the patent is appended hereto.

The litigation is captioned "Medrad, Inc. v. Tyco Healthcare Group LP, Mallinckrodt Inc., Liebel-Flarsheim Co., and Nemoto Kyorindo Co., Ltd." It has been assigned Civil Action No. 01-1997 and is pending before the United States District Court for the Western District of Pennsylvania. Reissue Patent No. 37,602 issued as a reissue of U.S. Reissue Patent No. 36,648 on March 26, 2002 (a copy of Reissue Patent No. 36,648 is also appended hereto). Reissue Patent No. 36,648 is the patent upon which this continuation reissue patent application is based.

If there are any fees required for this submission that are not otherwise accounted for, please charge our Deposit Account No. 03-3975 and refer to Invoice No. 071419/0272813.

Respectfully submitted,

PILLSBURY WINTHROP LLP



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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION 37379

Applicant(s): UBER III et al.

Appln. No.: 09/

545582

Series Code ↑

Serial No. ↑

Filed: April 7, 2000

Hon. Commissioner of Patents

Washington, D.C. 20231

Sir:

## REPLY/AMENDMENT/LETTER

Date: September 30, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herewith by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

## FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim		For B & C See <b>Required Separate Paper</b> (Pat-256)		Claims remaining after amendment		Highest number previously paid for		Present Extra		Large/Small Entity		Additional Fee		Fee Code Lg/Sm	
A. <input checked="" type="checkbox"/> NOT made															
B. <input type="checkbox"/> Withdrawn															
C. <input type="checkbox"/> made herewith															
D. <input type="checkbox"/> made previously															
2. Total Effective Claims		116		**minus		78		38		x \$18/\$9 =		+ \$684		103/203	
3. Independent Claims		13		***minus		11		2		x \$84/\$42 =		+ \$168		102/202	
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)										+ \$280/\$140 =		+ \$0		104/204	
5. Original due Date:				<input checked="" type="checkbox"/> NONE											
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)		\$110/\$55 =						+ \$0				115/215	
		(2 mos)		\$400/\$200 =										116/216	
		(3 mos)		\$920/\$460 =										117/217	
		(4 mos)		\$1,440/\$720 =										118/218	
		(5 mos)		\$1,960/\$980 =										128/228	
7. Enter any previous extension fee paid since above original due date and subtract										- \$0					
8.										Extension Fee		+ \$0			
9. If Terminal Disclaimer attached, add Rule 20(d) official fee										+ \$110/\$55		+ \$0		148/248	
10. If IDS attached requires Official Fee under Rule 97 (c),										+ \$180		+ \$180		126	
or if Rule 97(d) Request										+ \$180				126	
11. After-Final Request Fee per rules 129(a) and 17(r)										+ \$740/370		+ \$0		146/246	
12. No. of additional inventions for examination per Rule 129(b)										x \$740/370 ea		+ \$0		149/249	
13. Request for Continued Examination (RCE)										+ \$740/370		+ \$0		1179/1279	
14. Petition fee for												+ \$0			
15.										TOTAL FEE =		\$1032			
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".															
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.															
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.															
												PLEASE CHARGE OUR DEP. ACCT			

Our Deposit Account No. 03-3975)

(Our Order No. 071419 0272813

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: Jeffrey D. Karceski

Sig:

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments